

Prob 12C
(Rev. 1/05)

UNITED STATES DISTRICT COURT

for

MIDDLE DISTRICT OF ALABAMA

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DEBRA P. NACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Edward Jerome Patten

Case Number: 3:05cr154-WHA

Name of Sentencing Judicial Officer: The Honorable W. Harold Albritton, Senior U.S. District Judge;
case was referred to Senior U. S. District Judge Truman M. Hobbs at last revocation proceeding

Date of Original Sentence: February 6, 2006

Original Offense: Possession of Stolen Money Order

Original Sentence: Time Served: followed by a 3-year term of supervised release / TSR revoked on May 31, 2006; 6 months custody of BOP followed by a 1 year term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: November 22, 2006

Assistant U.S. Attorney: Tommie B. Hardwick Defense Attorney: Christine Freeman

PETITIONING THE COURT

- ☐ To issue a warrant
☐ To issue a summons
☒ To amend petition filed on March 28, 2007, (warrant previously issued on March 29, 2007)

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
Viol. 1 (Mandatory Condition): "The defendant shall not commit another federal, state or local crime."	On or about March 20, 2007, a warrant was requested for the Montgomery Police Department to arrest Edward Patten for the crime of domestic violence/assault. A second incident report from the Montgomery Police Department in Montgomery, Alabama, filed on April 2, 2007, reveals that Edward Patten and Sarah Preston were involved in a verbal altercation which resulted in Patten striking Preston in the face. To date, a warrant has not been issued for this incident.
Viol. 2 (Mandatory Condition): "The defendant shall refrain from any unlawful use of a controlled substance."	On March 21, 2007, drug testing results received from Scientific Testing Laboratories, Inc., revealed that the offender was positive for cocaine on a drug test conducted in the offender's residence on March 14, 2007.

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Viol. 3 (Mandatory Condition): **“If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.”**

To date, Edward Patten has failed to submit payments to satisfy the court imposed restitution of \$310 and special assessment fee of \$100.

Viol. 4 (Standard Condition # 3): **“The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.”**

On March 13, 2007, Edward Patten provided the probation officer false information about his residence.

Viol. 5 (Standard Condition # 6): **“The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.”**

On March 14, 2007, the probation officer learned that Edward Patten had been living in a new residence for approximately one month and had not reported the same to the probation officer.

Viol. 6 (Special Condition) **“The defendant shall participate in drug testing and treatment. The defendant shall contribute to the cost of any treatment based on ability to pay and availability of third party payments.”**

On April 3, 2007, Edward Patten refused to submit to drug testing when requested to do so.

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U.S. Probation Officer Recommendation:

☒ The term of supervision should be

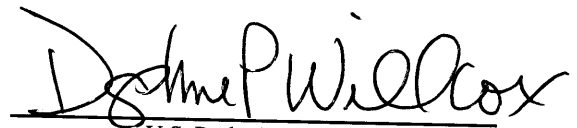
☒ revoked.

☐ extended for _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:

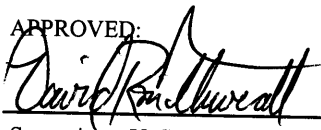
I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 4, 2007



U.S. Probation Officer

APPROVED:



Supervisory U. S. Probation Officer

THE COURT ORDERS:

☐ No action.

☐ The issuance of a warrant.

☐ The issuance of a summons.

☐ Other

☐ That petition filed on March 28, 2007, be and is hereby amended

Signature of Judicial Officer

Date